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In re Application of :  
DALLA VALLE, Roberto :  
U.S. App. No. 10/521,482 :  
PCT No.: PCT/IT03/00346 : REQUEST FOR REFUND  
Int. Filing Date: 03 June 2003 :  
Priority Date: 22 July 2002 :  
Attorney Docket No.: 58009-019100 :  
For: AGGLOMERATED MATERIAL  
CONTAINING RECYCLED SILICON

This is a decision on applicant's "Request for Refund under 37 CFR 1.26" filed in the United States Patent and Trademark Office (USPTO) on 22 November 2005. Applicant is requesting a refund in the amount of \$65 for the additional surcharge for filing an oath or declaration later than thirty months from the priority date charged to Deposit Account no. 50-2638 on 20 January 2005.

The present request states that "[t]he Patent Office charged the deposit account 50-2638 (Attorney Docket No.: 58009-019100), per Applicant's request of September 7, 2005. Applicant realizes the surcharge fee in the amount of \$65.00 was previously paid at the time of filing on January 20, 2005." A review of the application file reveals that the surcharge for filing an oath or declaration later than thirty months from the priority date was charged to counsel's Deposit Account on 20 January 2005 and 07 September 2005. Therefore, applicant's request for refund is granted and \$65 will be refunded to Deposit Account no. 50-2638.

The application is being referred back to Group Art Unit #3673 for further processing.

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